

FISCAL NOTE

SB 3514 - HB 4049

March 3, 2008

SUMMARY OF BILL: Increases penalty from a Class A misdemeanor to a Class E felony for the offense of leaving the scene of an accident if the person knew or should have known the accident resulted in injury to a minor child.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$13,800/Incarceration*

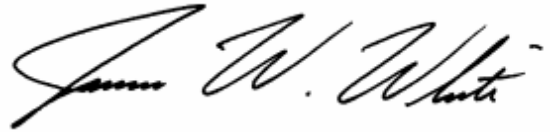
Assumptions:

- Currently leaving the scene of an accident is a Class A misdemeanor unless a death is involved, in which case it is a Class E felony.
- According to the Administrative Office of the Courts, there has been an average of 50 misdemeanor convictions per year for the past three years for leaving the scene of an accident. The Department of Correction (DOC) estimates four percent (2) of those misdemeanor convictions involved the driver not knowing an injury to a minor child occurred and would be convicted of a Class E felony under this bill.
- Two persons will be convicted of a Class E felony for leaving the scene of an accident resulting in injury to a minor child and will serve 0.3 years (109.58 days). According to DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). The cost for two additional offenders is \$13,758.86 (\$6,879.43 x 2).

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J".

James W. White, Executive Director

/lsc